IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTIETH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 343 of 2005

Between:

1 Konankula Srinivasulu, s/o Ramanaiah,
R/o Damavaram, Dagadarthi Mandal, Nellore District.
2 Tummala Venkaiah, S/o Musalaiah,
R/o Damavaram, Dagadarthi Mandal, Nellore District.
3 Kuppuru Veeraswami, S/o Ragaiah,
R/o Damavaram, Dagadarthi Mandal, Nellore District.
4 Madavarapu Narayana, S/o Seshaiah,
R/o Damavaram, Dagadarthi Mandal, Nellore District.
5 Challa Subbamma, w/o Ramanaiah,
R/o Damavaram, Dagadarthi Mandal, Nellore District.
6 Tummala Ravindra, s/o Ramaiah,
R/o Damavaram, Dagadarthi Mandal, Nellore District.
7 Konakula Narsaiah, S/o Ramanaiah,
R/o Damavaram, Dagadarthi Mandal, Nellore District.
8 Tummala Mallikarjuna Rao, S/o Ramaiah,
R/o Damavaram, Dagadarthi Mandal, Nellore District.
9 Rayapati Venkata Subbaiah, S/o Venkaiah,
R/o Damavaram, Dagadarthi Mandal, Nellore District.

..... PETITIONERS

AND

1 The Collector, Nellore District, Nellore.
2 The Revenue Divisional Officer, Kavali, Nellore District.
3 The Mandal Revenue Officer, Dagadarthi Mandal, Nellore District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or writ more particularly one in the nature of Writ of

Mandamus declaring the action of the second respondent in not entertaining and disposing of the appeals and stay petitions filed by the petitioners against the orders of the third respondent in Rc.No. B.221/2004 , dated 20-9-2004 in respect of lands of extents of Ac. 2.00 in Sy.No. 241; Ac. 3.00 in sy.Nos. 246 & 247; Ac. 3.00 in Sy.No. 246, Ac. 4.00 in Sy.No. 243; Ac. 3.00 in Sy.No. 247; Ac. 3.00 in sy.No.246 & 248, Ac. 2.00 in Sy.No. 241; Ac. 4.00 in Sy.No. 247 and Ac. 4.50 cents in Sy.No. 244 respectively situated in Damavaram village of Dagadarthi Mandal, Nellore District as arbitrary, unjust illegal and violation of Articles 14 and 21 of Constitution of India and Provisions of A.P. (Prohibition of Alienation of Assigned Lands) Act (Act 9 of 1977) and principles of natural justice and consequently direct the second respondent to entertain the said appeals and stay petitions and pass orders thereon and pass such other orders

Counsel for the Petitioner: MR.M.VENKATA NARAYANA

Counsel for the Respondents: GP FOR REVENUE

The Court made the following:

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ORDER:

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Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue, and with their consent, the Writ Petition itself is disposed of at the stage of admission.

In this writ petition, the petitioners are challenging the impugned order dated 20.09.2004 passed by the 3rd respondent-Mandal Revenue Officer in exercise of the powers under the Provisions of A.P.Assigned Lands (Prohibition of Transfers) Act, 1977 (for short 'the Act') in respect of the lands of the petitioners situated in Damavarim village of Dagadarthi Mandal. It is submitted that against the orders passed by the 3rd respondent-Mandal Revenue Officer, the petitioners already

preferred appeals on 13.12.2004 under Section 4 of the Act, and also filed petitions to suspend the orders of the 3rd respondent-Mandal Revenue Officer, which are pending on the file of the 2nd respondent-Revenue Divisional Officer. Assailing the action of the 2nd respondent-Revenue Divisional Officer, in not entertaining and disposing of the appeals, the petitioners filed this writ petition.

In the circumstances, the Writ Petition is disposed of at the stage of admission directing the 2nd respondent-Revenue Divisional Officer to consider the appeals and the suspension petitions said to have been filed by the petitioners and pass appropriate orders either on the suspension petitions or on the appeals in accordance with law. Till passing of such orders, status quo obtaining as on today shall be maintained.

Dated: 20.01.2005

Dsr/nsr

ASSISTANT REGISTRAR

To:

1. The District Collector, Nellore,

Nellore District

2. The Revenue Divisional Officer, Kavali,

Nellore District

3. The Mandal Revenue Officer,

Dagadarthi Mandal,

Nellore District

4. Two CCs to the Government Pleader

for Revenue, High Court Buildings,

Hyderabad (OUT)

5. Two CD copies